

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**In re:**

**Chapter 7**

**GLEN ALUM HOLDING, LLC,**

**Bankruptcy Case No. 16-20364  
Related Case Nos. 16-20362, 16-20363  
16-20365, 16-20366**

**Debtors.**

**(Joint Administration Pending)**

**APPLICATION FOR ORDER AUTHORIZING  
TRUSTEE TO RETAIN AND EMPLOY COUNSEL**

Robert L. Johns, Trustee for the bankruptcy estate of Glen Alum Operations, LLC (the "Trustee"), hereby files this application and respectfully represents:

1. On July 3, 2016, the debtor, Glen Alum Holding, LLC (the "Debtor"), filed a voluntary petition for relief under Chapter 7 of the Bankruptcy Code, 11 U.S.C. §§ 701, *et seq.*, in the United States Bankruptcy Court for the Southern District of West Virginia, and the Trustee was appointed to administer the assets of the estates of Glen Alum Holding, LLC, Glen Alum Operations, LLC, Glen Alum Land, LLC, Blackthorn Mining, LLC and Jenever, LLC.

2. The Trustee believes it is necessary to employ counsel to assist him and to represent him in this proceeding. The Trustee respectfully requests an order approving the employment of the law firm of Turner & Johns, PLLC in this matter, and believes that this counsel has considerable experience in bankruptcy matters and is well qualified to represent the Trustee in these proceedings. The bankruptcy case is not an ordinary case because it will involve liquidating corporate assets, operating and preserving corporate assets and litigating possible preference claims and/or fraudulent transfers by the Debtor.

4. The professional services of Turner & Johns, PLLC shall be, but not limited to, as follows:

(a) To prepare on behalf of the Trustee any necessary motions and other pleadings;

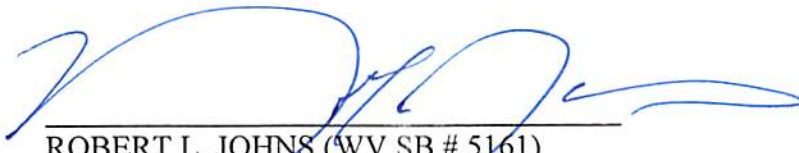
(b) To represent the Trustee at hearings on various motions and proceedings; and

(c) To perform such other legal services as shall be necessary and appropriate.

5. Except as disclosed in the Affidavit of Robert L. Johns which is attached to this application and to the best of the Trustee's knowledge, Turner & Johns, PLLC does not represent any interest adverse to the Trustee or the Debtor's estate on whose behalf it is to be engaged by the Trustee and that the law firm of Turner & Johns, PLLC is a "disinterested person" within the meaning of § 101(14) of the United States Bankruptcy Code.

6. The terms of the employment of Turner & Johns, PLLC as agreed to by the Trustee, subject to approval by the Court, are that attorneys and paralegals shall charge their ordinary hourly rates, as they change from time to time, with attorneys who may be expected to work on this case presently charging from \$200.00 per hour to \$400.00 per hour and paralegals charging \$90.00 per hour (Current hourly rates: Wendel Turner and Robert L. Johns \$400.00 (small case rate \$325.00); Brian Blickenstaff \$325.00; Joseph Johns \$200.00).

**WHEREFORE**, the Trustee respectfully requests that the Court approve the employment of the law firm of Turner & Johns, PLLC as counsel to the Trustee.



ROBERT L. JOHNS (WV SB # 5161)  
**TURNER & JOHNS PLLC**  
216 Brooks Street, Suite 200  
Charleston, WV 25301  
*Trustee for the Bankruptcy Estate of  
Glen Alum Operations, LLC*

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I have caused a true and correct copy of the foregoing “Application for Order Authorizing Trustee to Retain and Employ Counsel”, “Affidavit” and the proposed “Order Approving Application of the Chapter 7 Trustee to Employ Counsel” to be served upon the following by mailing a true copy thereof to each of them in properly stamped and addressed envelopes deposited in the United States mail, postage prepaid on this 6<sup>th</sup> day of July, 2016:

Debra A. Wertman, Esquire  
Assistant U.S. Trustee  
300 Virginia Street, East, Room 2025  
Charleston, WV 25301  
(Via Electronic Filing)

Gary O Kinder, Esquire  
Kinder Law Office  
2210 Washington St E  
Charleston, WV 25311  
(Via Electronic Filing)



**ROBERT L. JOHNS**